

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Beckley

Date: 5/4/2020

Case Number 5:18-cr-00026

Case Style: USA vs. Joshua Radcliffe

Type of hearing Video Teleconference Sentencing

Before the honorable: 2517-Volk

Court Reporter Kathy Swinhart

Courtroom Deputy Sydney Whittington

Attorney(s) for the Plaintiff or Government Monica Coleman, Steve Loew

Attorney(s) for the Defendant(s) Michael Whitt

Law Clerk Eleanor Hurney

Probation Officer Jeff Gwinn

Trial Time

Non-Trial Time

Court Time

2:45 pm to 3:25 pm

Total Court Time: 0 Hours 40 Minutes Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled Start 2:30 p.m.

Actual Start 2:45

Defendant present by video teleconference and by counsel by video teleconference for sentencing as to Count Five. Counsel for the United States present by video teleconference.

Defendant placed under oath.

Defendant waived right to appear in person, and does not object to the entire proceeding being held by video teleconference.

Counsel notes appearances on the record.

Court addresses PSR; no remaining objections.

Court ADOPTS findings in PSR.

Probation to file PSR in court file under seal.

Court ACCEPTS plea agreement.

Court ADJUDGES Defendant guilty pursuant to prior plea.

Court makes findings re: applicable U.S.S.G. ranges.

Court addresses 3553(a) factors and hears from parties re: relevant sentencing issues.

Counsel speak before sentence is imposed.

Defendant speaks on own behalf.

After considering advisory U.S.S.G. ranges and 3553(a) factors, Court IMPOSES sentence as follows:

Custody: 20 months

Supervised Release: 3 years

Fine: none imposed

Assessment: \$100

Court states reasons for sentence imposed.

Defendant advised of right to appeal.

Counts One, Four, and Thirty Six DISMISSED upon motion of Government.

Defendant REMANDED.

Court recessed at 3:25 p.m.